

**Government of Jammu & Kashmir  
Information Technology Department  
Civil Secretariat, J&K.**

O.M. No: IT-Gen/551/2022

Dated: 08.03.2023

**Subject: Call before you Dig – Draft Jammu & Kashmir Communication & Connectivity Infrastructure Policy (Infrastructure Safety Rules, 2023) – furnishing of comments thereof.**

The Ministry of Communications, Department of Telecommunication, Government of India vide notification No. CG-DL-E-03012023-241640 dated: 03-03-2023 has notified Indian Telegraph (Infrastructure Safety) Rules, 2022 which mandates to use portal or mobile app and casting liability on excavator/excavation agencies to notify any likely excavation through the app to the telegraph/telecom licensee owing or managing telegraph infrastructure.

The Department of Telecommunications, Ministry of Communication, Government of India vide another D.O. No. 3-1/2022-NBM dated 07-02-2023 has requested that the States/UTs may adopt the IT Infrastructure Rules, 2022 and notify similar rules or make amendment to the existing rules.

In light of above, the Information technology Department has drafted Jammu & Kashmir Communication Connectivity Infrastructure Policy (Infrastructure Safety) Rules, 2023, in alignment to Indian Telegraph (Infrastructure Safety) Rules, 2022.

Accordingly, the undersigned is directed to forward herewith a copy of D.O. No.3-1/2022-NBM dated 07-02-2023 received from Department of Telecommunications, Ministry of Communication, Government of India along with draft Jammu & Kashmir Communication Connectivity Infrastructure Policy (Infrastructure Safety) Rules, 2023, to the Principal Secretary to the Government, Public Works (R&B) Department and Principal Secretary to the Government, Housing & Urban Development Department as Annexure- I, with the request to issue necessary directives to the concerned to peruse the draft JKCCIP (Infrastructure Safety) Rules, 2023 and furnish comments, if any, with regard to the requirement(s) of your respective department within three days positively for further appropriates at this end.

*N10m*  
*08.03.23*  
**Under Secretary to the Government  
Information Technology Department**

**Principal Secretary to the Government,  
Public Works (R&B) Department**

**Principal Secretary to the Government,  
Housing & Urban Development Department**

Copy to the:

1. Private Secretary to the Secretary Department of Telecommunications, GoI.
2. Private Secretary to the Chief Secretary UT of J&K.



के. राजारामन, भा. प्र. से.  
सचिव  
**K. Rajaraman, IAS**  
Secretary



भारत सरकार  
संचार मंत्रालय  
दूरसंचार विभाग  
Government of India  
Ministry of Communications  
Department of Telecommunications

D.O. 3-1/2022-NBM  
Dated 7th February, 2023

Dear Chief Secretary,

I appreciate your efforts in onboarding key infrastructure departments onto **"Call Before u Dig" (CBuD) Mobile app** based on my letter dated 02-12-2022. The CBuD Mobile App is likely to be launched at National level by Hon'ble Prime Minister in mid-March. The State Government departments and agencies need to onboard contact details of all concerned officials of infrastructure utility asset owner agencies of the State/UTs in CBuD App to receive notifications of the enquiries made by other agencies/contractors/members of public likely to undertake excavation activities in public places enabling them to safeguard the assets from damages during excavation. **All agencies intending to carry out excavations (Government or private) need to be mandated by the States/UTs by notification to carry out any type of excavation / digging only after prior intimation through CBuD App.**

2. DoT has issued **"Indian Telegraph (Infrastructure Safety) Rules, 2022"** (ITIS Rules, 2022) on 03rd January, 2023, which mandates to use Portal or Mobile App and casting liability on excavator / excavation agencies to notify any likely excavation through the app to the telegraph / telecom licensee owning or managing telegraph infrastructure. Any damage caused due to negligence and liable to pay damage charges. (Copy of rules enclosed). CBuD App is supported by these provisions.

3. It may be noted that CBuD App is utility agnostic and supports any utility asset owner, viz., Water pipeline, Sewerage, Gas / Petroleum pipeline, Electric Cables etc. owned / managed by various State Departments/ Agencies. To support technical features of CBuD App for other utilities, State/UTs may also come out with similar rules mandating excavators to inform State utility agencies also through CBuD App prior to commencement of excavation activity.

4. In view of above, it is requested that States/UTs may adopt ITIS Rules, 2022 and notify similar rules or make amendments to the existing rules. State/UT are also requested to direct all State Departments to configure contact details of their concerned officers in CBuD App and mandate all excavating agencies to onboard themselves on the CBuD App before 28<sup>th</sup> February 2023. A list of Departments/Agencies who may be onboarded on CBuD app is attached.

With regards.

Yours Sincerely

(K. Rajaraman)

Chief Secretaries of all States/UTs

**Annexure**

**List of Agencies who may onboard themselves on CBuD App**

**A. Utility Asset Owning Agencies/Departments who can be onboarded on CBuD App**

| Sr No | Probable Department /Agency as Asset Owner                              | Agency CBuD Nodal                         | Agency CBuD District User                                |
|-------|-------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------|
| 1     | Water Supply Agency                                                     | State or Regional agency division officer | Executive Engineer or official                           |
| 2     | Water Resource Agencies                                                 | State or Regional agency division officer | Executive Engineer or official                           |
| 3     | Sewerage maintenance agencies                                           | Regional office Nodal                     | municipal corporation official                           |
| 4     | Underground Electric Cable Agencies e.g. DISCOM, Transmission Companies | State or Regional agency division officer | DISCOM District Incharge or official                     |
| 5     | State Gas Agencies                                                      | State or Regional incharge                | City Gas pipeline incharge or official & area in-charges |
| 6     | State Petroleum agencies                                                | State or Regional incharge                | District level operation & maintenance officers          |
| 7     | State Fibre Agencies                                                    | State Fibre Agency Nodal                  | State NOC manager and O&M District Incharge              |
| 8     | Road agencies viz PWD, State Highways                                   | State Nodal Incharge                      | Area incharge                                            |
| 9     | Departments / agencies owning underground duct                          | Duct owning Authority                     | concerned district incharge of duct                      |
| 10    | Municipal Corporation/urban development                                 | State/Regional officer                    | Executive Engineer                                       |
| 11    | Panchayati Raj/rural development                                        | State level rural development officer     | BDO/BPRO or official                                     |
| 12    | Metro rail                                                              | Metro development officer                 | Site incharge                                            |

**B. Excavating Agencies and officer concerned that can be registered as in CBuD App**

| SrNo | Possible Agencies as Excavators                                            | Officer concerned or Excavation Contractor               |
|------|----------------------------------------------------------------------------|----------------------------------------------------------|
| 1    | Road construction department / agencies e.g. PWD, State Highway agencies   | Site engineer incharge OR Road construction contractor   |
| 2    | Water pipeline laying departments and agencies                             | Project Engineer OR Contractor or its official           |
| 3    | Sewerage line laying department / agencies                                 | Project Engineer OR Contractor/its official              |
| 4    | Underground electric cable laying department / agencies                    | Sub divisional engineer OR contractor's official         |
| 5    | Gas Agencies                                                               | City incharge OR Excavation contractor or official       |
| 6    | Petroleum agencies                                                         | Area incharge OR Excavation contractor or official       |
| 7    | State/National Fibre Agencies                                              | OFC Project incharge OR Contractor or official           |
| 8    | Departments / agencies owning underground duct                             | Duct construction Incharge OR Contractor or its official |
| 9    | Municipal Corporation/urban development                                    | Civil construction Contractor or official                |
| 10   | Panchayati Raj/rural development                                           | BDO/BPRO OR Excavation Contractor or Official            |
| 11   | Metro rail                                                                 | Site incharge OR Contractor or official                  |
| 12   | District development authority                                             | Project Engineer OR Excavation Contractor or Official    |
| 13   | Telecom service provider                                                   | TSP OFC laying incharge OR Contractor                    |
| 14   | Agencies owning Excavation Machinery registered with Transport departments | JCB / Excavator owner OR excavation agency official      |

**Draft Notification**

With reference to powers conferred by section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes the following rules, namely: -

**1. Short title and commencement.**—(1) These rules may be called the Jammu and Kashmir Communication and Connectivity Infrastructure Policy (Infrastructure Safety) Rules, 2023.

(2) They shall come into force from the date of issuance of notification.

**2. Definitions.** - (1) in these rules, unless the context otherwise requires, -

- (a) "Act" means the Indian Telegraph Act, 1885 (13 of 1885);
- (b) "common portal" means a portal or mobile phone application developed and notified by the Central Government for the purposes of these rules;
- (c) "licensee" means any person holding a license under sub-section (1) of section 4 of the act.
- (d) "notice" means prior information of digging or excavation submitted through common portal
- (e) "telegraph infrastructure" includes a telegraph or a telegraph line and post;

(2) Words and expressions used and not defined herein but defined in the Act shall have the meaning assigned to them in the Act.

**3. Procedure for exercising of legal right to dig or excavate any property. —**

(1) Any person desiring to dig or excavate in the legal exercise of a right with any property in such a manner as is likely to cause damage to a telegraph infrastructure or to interrupt or interfere with telegraphic communication which has been duly placed in accordance with the provisions of the Act, shall give notice to licensee through common portal, by submitting the information of such digging or excavation, prior to the commencement of such exercise.

(2) The notice under sub-rule (1) shall include the name and address of the person exercising the legal right, agency details, contact details, date and time of start of the exercise, description and location of the exercise, and the reasons for such digging or excavation.

(3) The licensee shall, on submission of notice by the person under sub-rule (1), as expeditiously as possible provide through the common portal, the details of telegraph infrastructure owned or control or managed by such licensee, falling

under or over or along the property with which the person intends to deal in legal exercise of the right, along with precautionary measures for coordination in avoiding damages to the telegraph infrastructure.

(4) The person exercising legal right to dig or excavate shall take appropriate action on precautionary measures provided by the licensee as per sub-rule (3).

(5) In case no licensee provides details within the prescribed time as per section 19(A) of the Act, the person having legal right to dig or excavate shall be free to dig or excavate the property thereafter.

**4. Damage charges for breach of provisions of the rule.** — (1) Any person, who in exercise of legal right has dug or has excavated any property in such a manner causing damage to a telegraph infrastructure duly placed in accordance with the provisions of the Act shall be liable to pay the damage charges to the telegraph authority:

(2) The damage charges under sub-rule (1) shall be computed based on such expenses as may be incurred in restoring damages.